

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)
)
v.) **Case No.: 1:07-cr-018-CSC**
)
DORINA ANN KENGEL)

SECOND MOTION TO CONTINUE TRIAL

COMES NOW the Defendant, **DORINA ANN KENGEL**, through Undersigned Counsel, Donnie Bethel, pursuant to 18 U.S.C. 3161 §§ (h)(8)(A) and (h)(8)(B), and respectfully moves the Court for an Order continuing this matter from the September 17, 2007 Trial Docket. In support of this motion, the Defendant would show the following:

1. On June 18, 2007, Ms. Kengel submitted a request for pretrial diversion in this case. Undersigned Counsel has previously discussed and coordinated this request with Special Assistant United States Attorney Captain Emily Ruisanchez and with Assistant United States Attorney Kent Brunson. Capt Ruisanchez recommended approval of this request and forwarded it to the United States Attorney's Office, where it was approved by the United States Attorney on August 21, 2007. It has been forwarded to the United States Probation Office and a pretrial diversion investigation is underway at this time.

2. It is unlikely the pretrial diversion investigation will be completed in time to dispose of this case prior to the scheduled trial date.

3. For the foregoing reasons, Captain Ruisanchez concurs with Ms. Kengel's Motion to Continue.

WHEREFORE, Defendant respectfully requests that this Motion to Continue be granted.

Dated this 31st day of August, 2007.

Respectfully submitted,

s/ Donnie W. Bethel
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CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Kent B. Brunson, Esq.
Assistant United States Attorney
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Emily Ruisanchez
Department Of The Army
Office of Staff Judge Advocate
Military Justice (ATZQ-SJA-MJ)
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Respectfully submitted,

s/ Donnie W. Bethel
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